

### REMARKS

The Examiner, in paragraph 1 of the official action, objected to claim 11 under 37 CFR 1.75(c) as the phrase "such as..." fails to limit the subject matter of claim 1. In this regard, that portion of the claim has been eliminated. Claim 11 as currently set forth, recites that the data is inputted at a third party location which adds new subject matter not found in claim 1. Accordingly, it is respectfully submitted that this claim is now in proper form.

Claim 20 has been objected to as being a duplicate of independent claim 1. In this regard, claim 20 has been amended to include the limitation previously set forth in dependent claim 21. Accordingly, claim 20 is no longer a duplicate and includes a limitation not set forth in independent claim 1.

The Examiner has rejected claims 1-3, 5, 7, 10-20, 26-30 and 32-33 under 35 USC § 102(e) as being anticipated by Huff (U.S. Pub. 2002/0032687) for the reasons set forth.

Currently, only independent claims 1, 20 and 33 are pending in the subject application. These claims are directed to a method of automatically gathering information for creation of a family tree or software program for doing such. Each of the independent claims requires searching multiple unrelated databases through a network and scanning the databases for relevant information. The claims also include the limitation for assessing the probability that the newly identified individual is related to the original individual, and provide the probability of assessment to the user, and the user accepting or rejecting the update.

It is respectfully submitted that the Huff reference is directed to a system apart and distinct from that of the present invention. In particular, the Huff reference is directed to a database that is used to determine if people are related to one another. This is a distinct aspect to the present invention where the method includes gathering information relevant for creating a family tree and which includes searching multiple unrelated databases. In Huff, there is a single database that is searched in order to provide the information to the inquirer. The Examiner recites page 7, paragraph 104 for supporting the position that this reference teaches searching multiple databases through a network and scanning the database for relevant information. It is respectfully submitted that paragraph

104 at page 7 is simply the ability for individuals to prepare genealogical data to be transferred to the internet site to be published. The users or searchers search the central site for data related to their family. This system does not go out and search unrelated databases, but allows individuals to submit data and then allow people to search the central database. This is distinct from the method by which the program goes out and searches unrelated databases for gathering information in order to create the family tree.

The Examiner then cites paragraph 36 at page 2 for illustrating that searchers search through a central database for data that relate to their family through the internet. However, this does not teach or suggest the creation of a search engine for searching unrelated databases for obtaining relevant information for creation of the database. Quite the contrary, this is merely disclosing the ability to search a database over the internet.

The Examiner then cites page 2, paragraph 36, page 5, paragraph 91 and page 6, paragraph 98 for the proposition that there is disclosed a reviewing of the information according to a set of algorithms for relationships to other individuals entered in a local database and accessing the probability the new identified individual is related to the individual. As previously noted, paragraph 36 merely is directed to a user accessing a database at a workstation. Paragraph 91 at page 5, merely teaches accepting data. Accepting data is not the same thing as going out to unrelated databases and searching for relevant information. Quite the contrary, there is no searching at all involved. The paragraph is directed to accepting user information that is simply entered into the database. With regard to paragraph 98 at page 6, this is simply directed to removing duplicate names from the normal search and review process. This is done by the shadow delete records 54. This is in contrast to the present invention where newly identified information is provided to the user along with probability assessment to the user for acceptance or rejection. This is because the information developed by the various unrelated databases is unknown whether or not these individuals are related. Quite the contrary, the information developed has probabilities of potential relevancy. For example, the last known address may have been used to identify a particular individual, however, when the appropriate data is reviewed by the user, it may be noticed that this is not a related person because of the age or date at which the information was gathered. The Huff reference at paragraph 98

is simply removing identical records and not directed to assessing probabilities of relevancy.

The Examiner recites page 8, paragraph 130 and page 9, paragraph 130 for providing support of disclosing providing the information along with the probability assessment to the user for acceptance or rejection. Applicant respectfully submits that paragraph 130 does not disclose such. First, it is the program that accepts and analyzes a large number of small files. More specifically, it is the programs that do the analysis as set forth at page 9, items 1-5. This is not a probability assessment, but simply how he gathers information. As set forth at page 5, lines 27 continuing on to page 6, line 3 of the present invention, it is set forth that after the searching and finding the relevant information, the search engine will return a list of candidate names, i.e. those likely to be related to the person in question, along with probability assessment that the identified person is indeed related to the person as illustrated in Figure 4. It also establishes its best guess of the relationship of the newly identified person to the individual. An algorithm determines the assigned probability such that the probability increases proportionate to the number of data items matched and therefore dependent upon the amount of information entered. There is no teaching or suggestion of providing such probabilities in Huff as taught and claimed by Applicant. The Examiner cites page 3, paragraph 42 that the database is updated upon acceptance of the user. What is discussed in paragraph 42 is the data entry of a user that just compiles the information into the central site. This does not teach or suggest building a tree based on information gathered or accepted by the user.

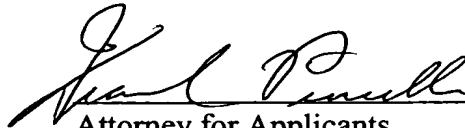
In summary, Applicant respectfully submits that the independent claims are distinguishable from Huff for at least three separate and distinct reasons. First, Huff does not teach the creation of a family tree based on searching multiple unrelated databases. Secondly, there is no probability assessment that assesses the probability of information that has been obtained. Third, there is no updating of the database based upon acceptance of the user.

In view of the foregoing, it is respectfully submitted that the independent claims 1, 20 and 33 are patentably distinct over the cited art.

The remaining claims depend at least ultimately upon the independent claims previously discussed and therefore are patentably distinct for the same reasons.

In view of the foregoing it is respectfully submitted that the claims in the present form are in condition for allowance and such action is respectfully requested.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Frank Pincelli", written over a horizontal line.

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